

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 23-MJ-56

DANIEL PARSON

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of May 3, 2023, in the Western District of New York, and elsewhere, the defendant, DANIEL PARSON, did knowingly and willfully transmit in interstate commerce, communications, that is, telephone calls, which contained threats to injure the person of another, specifically, Victim 1, B.B.; a Tops grocery store; and a fellowship church, in violation of Title 18, United States Code, Section 875(c).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Anthony Vesich

Complainant's signature

ANTHONY J. VESICH
Special Agent
Federal Bureau of Investigation

Printed name and title

Sworn to and signed telephonically.

Date: May 4, 2023

H. Kenneth Schroeder, Jr.

Judge's signature

HONORABLE H. KENNETH SCHROEDER, JR.
UNITED STATES MAGISTRATE JUDGE

Printed name and title

City and State: Buffalo, New York

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

INTRODUCTION

I, ANTHONY VESICH, Special Agent of the Federal Bureau of Investigation, United States Department of Justice, having been duly sworn, states as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (“FBI”) of the United States Department of Justice. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. I have served as an FBI Special Agent since October 2019 and am currently assigned to the FBI Safe Streets Task Force¹ (“FBI-SSTF”) in Buffalo, New York. During that time, I have participated in investigations involving human, drug, and weapons trafficking, neighborhood-based street gangs, organized crime matters, and violent crimes including investigations that utilized the execution of arrest warrants of persons and search warrants on residences and vehicles. Over the course of those investigations, I have conducted interviews of witnesses and subjects, supervised, and handled confidential informants,

¹ The FBI-SSTF is comprised of Agents and Investigators from the Federal Bureau of Investigation, Immigration and Customs Enforcement, Erie County Sheriff's Office, New York State Parole, NFTA Police Department, Lackawanna Police Department, and the Buffalo Police Department.

participated in and supervised physical and electronic surveillance, utilized pen registers and trap and trace devices, executed search and arrest warrants, and conducted consensually recorded telephone calls between confidential informants and subjects. In addition, I have had the opportunity to work with other FBI Special Agents and other law enforcement agents and officers of varying experience levels. My investigative experience detailed herein, and the experience of other law enforcement agents who are participating in this investigation, serve as the basis for the opinions and conclusions set forth herein.

3. This investigation is being conducted by Special Agents of the FBI and other law enforcement personnel assigned to the FBI-SSTF, Buffalo Police Department, and Special Agents and other law enforcement personnel assigned to FBI Las Vegas. Your Affiant is fully familiar with the facts and circumstances of this investigation, from both my personal knowledge based upon my participation in this investigation, as well as from statements by and/or reports provided to me by law enforcement personnel of the FBI-SSTF and other law enforcement agencies.

4. This affidavit is being submitted in support of (1) a Criminal Complaint charging **DANIEL PARSON** ("**PARSON**") with violating Title 18, United States Code, Section 875(c), making threats in or affecting interstate commerce on or about May 3, 2023, from a cellular telephone bearing Verizon number 980-866-7058 ("**Target Telephone**"). Because this affidavit is being submitted for the limited purpose of establishing probable cause for the requested criminal complaint, I have not presented all the facts of this investigation to date. Rather, I have set forth sufficient information to establish probable cause for the requested criminal complaint.

PROBABLE CAUSE

5. On May 3, 2023, at approximately 1:37 AM ET, Buffalo Police Department (BPD) A-District received a phone call from Verizon phone number 980-866-7058 (“Target Telephone”). The caller stated that the caller was going to “shoot up” a “fellowship church” on May 7, 2023. The caller stated that “they knew who he was and they had it coming.”

6. On May 3, 2023, at approximately 7:50 AM ET, the Target Telephone called BPD D-District. The caller stated that the caller was going “to slaughter Buffalo Mayor Byron Brown and Brown’s family” at 2:30 PM on May 3, 2023.

7. On May 3, 2023, shortly before 09:00 AM ET, the same number called BPD C-District. The caller stated that the caller would conduct a mass shooting at an unspecified Tops grocery store.

8. An Emergency Disclosure Request was submitted to Verizon requesting subscriber information, call detail records, and GPS Ping location. Verizon provided a subscriber account under **DANIEL PARSON** at residence 110 McCullough Drive, Charlotte, NC, 28262. Call detail records received from Verizon for 980-866-7058 yielded phone calls to BPD Districts A, C, and D matching the times reported by the BPD districts.

9. Cell phone ping locations provided by Verizon resolved to Las Vegas, Nevada.

10. Law Enforcement Officers in Las Vegas located and encountered **PARSON** outside of the Harrah’s Las Vegas hotel on May 3, 2023, at approximately 3:00 PM PT.

PARSON voluntarily accompanied officers and spoke with them briefly before requesting legal counsel.

11. **PARSON** had a cellular telephone in his hand when initially approached by Officers. Officers seized the phone and called the Target Telephone number. The seized telephone rang when called, confirming that the telephone held by **PARSON** was the **Target Telephone**.

CONCLUSION

12. Based on the facts articulated in this affidavit, I submit that probable cause exists to believe that on or about May 3, 2023, **DANIEL PARSON** violated Title 18, United States Code, Section 875(c), making threats in or affecting interstate commerce.

Anthony Vesich

ANTHONY VESICH
Special Agent
Federal Bureau of Investigation

Sworn to telephonically

this 4th day of May, 2023.

H. Kenneth Schroeder, Jr.

HON. H. KENNETH SCHROEDER, JR.
United States Magistrate Judge